

MEMO ENDORSED p.2

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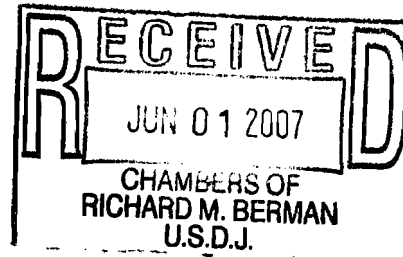
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June 1, 2007

BY HAND

Hon. Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street, Rm 14A
New York, NY 11201



Re: Pannell v. Dr. Jay's Inc.
Docket No.: 07 cv 3503

Dear Judge Berman,

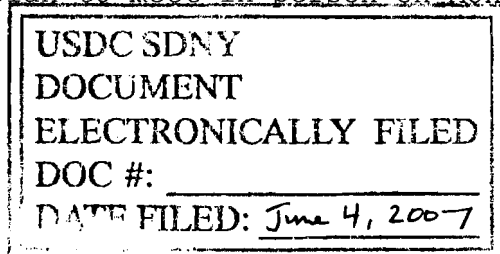
The undersigned is counsel to plaintiff in the above referenced matter. I write to request a brief adjournment of the June 5, 2007, initial pretrial conference scheduled at 10:15 AM. This is the first such request.

In error, I failed to notify defense counsel of the correct date of the conference until today. This afternoon I emailed to defense counsel the Court's letter scheduling the pretrial conference.

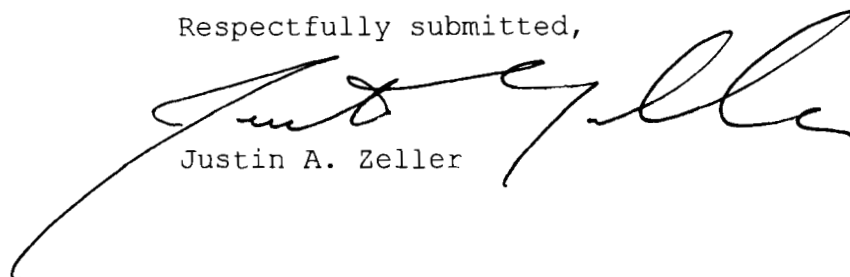
Defense counsel has informed me that she is unavailable on June 5, 2007 because of a different Court conference she must attend, which was scheduled months ago.

I humbly request the Court's forgiveness and request an alternative date for the conference. As a case management plan has not yet been set, this adjournment will not affect any other date. My adversary consents to the adjournment.

The parties are currently involved in settlement discussions and plan to meet in person on Monday, June 4, 2007.



Respectfully submitted,



Justin A. Zeller

CC: Diane Windholz, counsel for defendant, via fax at (212) 972-3213

<u>ADJOURNED UNTIL 6/11/07 AT</u>	
<u>9:30 A.M.</u>	
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SO ORDERED:	<u>Richard M. Berman</u>
Date: <u>6/1/07</u>	Richard M. Berman, U.S.D.J.